

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

AIE SURGICAL PRACTICE, LLC,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	5:05-CV-305 (DF)
	:	
	:	
TROY L. COON,	:	
	:	
Defendant,	:	
	:	
vs.	:	
	:	
	:	
PRINCIPAL LIFE INSURANCE COMPANY , AND SOUTHERN COMPANY SERVICES, INC.,	:	
	:	
	:	
Third Party Defendants.	:	

ORDER

Before the Court is Third Party-Plaintiff Troy L. Coon's Motion for Leave to Add Party (tab 3). Coon filed this Motion in the State Court of Bibb County, Georgia, on August 24, 2005. That same day, Third Party-Defendant Principal Life Insurance Company filed a Notice of Removal (tab 2) from the State Court of Bibb County to this Court.

Coon's Motion is now governed by the Federal Rules of Civil Procedure. Rule 15

of the Federal Rules permits a party to amend the party's pleading "once as a matter of course at any time before a responsive pleading is served. . . ." Fed. R. Civ. P. 15(a) (West 2005). Here, Coon moved to amend the complaint *before* Principal Life Insurance filed its answer. Thus, Coon is entitled to amend his Complaint to add Southern Company Services, Inc. as a Third Party-Defendant.

Accordingly, Coon's Motion for Leave to Add Party is **GRANTED** as a matter of right.

SO ORDERED, this 9th day of September, 2005.

/s/ Duross Fitzpatrick
DUROSS FITZPATRICK, JUDGE
UNITED STATES DISTRICT COURT

DF/jab